

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Todd **KREISLER**,

Plaintiff,

v.

Kais **ABID**,

d/b/a PAPA JOHN'S;

KAM FOUR INC,

A New York Corporation d/b/a/ Papa John's,

PARKER EAST 24TH APARTMENTS LLC,

A New York Limited Liability Company;

PARKER COMMERCIAL 24TH ASSOCIATES,

A New York Limited Partnership,

305 EAST 24TH OWNERS CORP.,

A New York Corporation

Defendants.

12 civ. 4052 (PAE)

NOTICE OF MOTION

TO: Adam Shore, Esq.
Gary Ehrlich, Esq.
John Egan, Esq.

Served via ECF filing

PLEASE TAKE NOTICE that upon the attached Attorney Declaration of Barry N. Frank, Esq. and the attached Motion, Defendant will move this Court, Hon. Paul A. Engelmayer, U.S.D.J. in Room _____ United States Courthouse, 500 Pearl Street, New York, New York 1007-1312 on the _____ day of April, 2013 at _____ or as soon thereafter as counsel can be heard, for dismissal of the Second Amended Complaint or in the alternative for partial Summary Judgment and dismissal as moot with regard to certain causes of action, as set forth in the attached Motion, and all further relief deemed appropriate by the Court.

Dated: Fort Lee, New Jersey
April 15, 2013

Law Firm of Barry N. Frank & Associates PC
Attorneys for the Defendant, Kais Abid

BY: _____/s/ Barry N. Frank, Esq.
440 West Street, 3rd Floor
Fort Lee, New Jersey 07024-5028